

EXHIBIT A

From: Cremona, Nicholas J. <ncremona@bakerlaw.com>
Sent: Monday, August 26, 2019 5:36 PM
To: Suzan Arden
Cc: Amy Sanchez; Sheehan, David J.; Helen Chaitman; Greg Dexter; Jennifer Allim; Sarah Howell; Beatrice Gonzalez
Subject: RE: Madoff:Nelsons Adv. Pro. Nos.10-04377 (SMB) and 10-04658 (SMB)

Suzan,

The Trustee's stands by the position stated in my original email and will respond to Defendants' request accordingly once filed with the court.

Nicholas J. Cremona
Partner

BakerHostetler
45 Rockefeller Plaza
New York, NY 10111-0100
T +1.212.589.4682
ncremona@bakerlaw.com
bakerlaw.com

-----Original Message-----

From: Suzan Arden <sarden@chaitmanllp.com>
Sent: Monday, August 26, 2019 1:35 PM
To: Cremona, Nicholas J. <ncremona@bakerlaw.com>
Cc: Amy Sanchez <asanchez@chaitmanllp.com>; Sheehan, David J. <dsheehan@bakerlaw.com>; Helen Chaitman <hchaitman@chaitmanllp.com>; Greg Dexter <gdexter@chaitmanllp.com>; Jennifer Allim <jallim@chaitmanllp.com>; Sarah Howell <showell@chaitmanllp.com>; Beatrice Gonzalez <bgonzalez@chaitmanllp.com>
Subject: RE: Madoff:Nelsons Adv. Pro. Nos.10-04377 (SMB) and 10-04658 (SMB)

Nicholas:

Unfortunately, I am not in a position to make a request to adjourn the motion to dismiss on the Trustee's behalf. Helen's having eye surgery today and is unavailable and I cannot say whether the October 30 date will work. I suspect not, since in another matter the court in DNJ has already proposed that date for oral argument.

As such, I will approach the Court on our request to adjourn the post-trial briefing without reference to an adjournment of the motion to dismiss. Since Judge Bernstein's Chambers Rules also provide that: "Adjournments, other than those requested at the hearing, will be granted only if agreed to by all parties seeking or opposing the relief in question or, after consent is sought and denied, as granted by the Court after a request to chambers, copied to the other side, and stating the basis for the request" please advise whether or not you are able to consent to the adjournment on the post-trial briefing before close of business today.

Suzan Arden
Chaitman LLP

465 Park Avenue
New York, New York 10022
sarden@chaitmanllp.com
Phone: (888) 759-1114

From: Cremona, Nicholas J. [ncremona@bakerlaw.com]

Sent: Monday, August 26, 2019 12:54 PM

To: Suzan Arden

Cc: Amy Sanchez; Sheehan, David J.; Helen Chaitman; Greg Dexter; Jennifer Allim; Sarah Howell; Beatrice Gonzalez

Subject: RE: Madoff:Nelsons Adv. Pro. Nos.10-04377 (SMB) and 10-04658 (SMB)

Suzan,

The Trustee is unable to consent to the requested adjournment of the briefing deadline in this matter that Judge Bernstein previously ordered. Judge Bernstein's Chambers Rules specifically provide that "Parties may not grant extensions of time on briefing without prior consent from Chambers." The Trustee will not, however, oppose the Defendants' application to the Court to extend the upcoming deadline provided that any such request: (1) seeks to adjourn Defendants' Motion to Dismiss for Lack of Subject-Matter Jurisdiction until October 30, 2019 and (2) provides an extension of the Trustee's time to respond to that motion until October 23, 2019.

Nicholas J. Cremona
Partner

BakerHostetler
45 Rockefeller Plaza
New York, NY 10111-0100
T +1.212.589.4682
ncremona@bakerlaw.com
bakerlaw.com

-----Original Message-----

From: Suzan Arden <sarden@chaitmanllp.com>

Sent: Monday, August 26, 2019 9:07 AM

To: Cremona, Nicholas J. <ncremona@bakerlaw.com>

Cc: Amy Sanchez <asanchez@chaitmanllp.com>; Sheehan, David J. <dsheehan@bakerlaw.com>; Jacobs, Edward J. <ejacobs@bakerlaw.com>; Fein, Amanda E. <afein@bakerlaw.com>; Helen Chaitman <hchaitman@chaitmanllp.com>; Greg Dexter <gdexter@chaitmanllp.com>; Jennifer Allim <jallim@chaitmanllp.com>; Sarah Howell <showell@chaitmanllp.com>; Beatrice Gonzalez <bgonzalez@chaitmanllp.com>

Subject: Madoff:Nelsons Adv. Pro. Nos.10-04377 (SMB) and 10-04658 (SMB)

Counsel:

Helen is undergoing eye surgery today and will therefore not be able to work on the Nelsons' post-trial proposed findings of fact and conclusions of law and associated papers for a few days thereafter. Accordingly, we are writing to request a one week adjournment of the date on which they are due, from August 30, 2019 through and until September 6, 2019.

Please let us know your position today so that we can advise the court accordingly.

Thanks.

Suzan Arden
Chaitman LLP
465 Park Avenue
New York, New York 10022
sarden@chaitmanllp.com
Phone: (888) 759-1114

This email is intended only for the use of the party to which it is addressed and may contain information that is privileged, confidential, or protected by law. If you are not the intended recipient you are hereby notified that any dissemination, copying or distribution of this email or its contents is strictly prohibited.
If you have received this message in error, please notify us immediately by replying to the message and deleting it from your computer.

Any tax advice in this email is for information purposes only. The content of this email is limited to the matters specifically addressed herein and may not contain a full description of all relevant facts or a complete analysis of all relevant issues or authorities.

Internet communications are not assured to be secure or clear of inaccuracies as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. Therefore, we do not accept responsibility for any errors or omissions that are present in this email, or any attachment, that have arisen as a result of e-mail transmission.